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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,842	03/06/2001	Mark Andrew George White	05029.P002	3647

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EXAMINER

SONG, HOSUK

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/800,842

Applicant(s)

WHITE ET AL.

Examiner

Hosuk Song

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 23-26 and 43-60 is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-9, 11-14, 16-21, 27-30 and 32-42 is/are rejected.
- 7) ☒ Claim(s) 5, 10, 15, 22 and 31 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-4,6-9,11-14,16-21,27-30,32-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cox et al.(US 5,991,426) in view of Iwamura(US 6,425,081).

Claims 1,2,6,7: Cox disclose part of the content having a first watermark and part of the content having a second watermark and combining parts of the first watermark and part of the second watermark into the copy of the content in manner unique for an individual client in (col.1,lines 18-24;col.3,lines 4-15,26-32,62-67; col.4,lines 1-1-3 and fig.1). Cox does not disclose encrypting the first,second watermark and the content. Iwamura's patent discloses this limitation in (fig.4). It would have been obvious to person of ordinary skill in the art at the time invention was made to employ encryption process as taught in Iwamura with watermark system disclosed in Cox in order to enhance data security since encrypted data are much more difficult for an unauthorized party to gain access to the data.

Claims 11,12,16: Cox discloses storing content in (fig.1). Cox disclose part of the content having a first watermark and part of the content having a second watermark and combining parts of the first watermark and part of the second watermark into the copy of the content in manner unique for an individual client in (col.1,lines 18-24;col.3,lines 4-15,26-32,62-67; col.4,lines 1-1-3 and fig.1). Cox does not disclose encrypting the first,second watermark and the content. Iwamura's patent discloses this limitation in (fig.4). It would have been obvious to

person of ordinary skill in the art at the time invention was made to employ encryption process as taught in Iwamura with watermark system disclosed in Cox in order to enhance data security since encrypted data are much more difficult for an unauthorized party to gain access to the data.

Claims 17-21: Cox discloses storing content in (fig.1). Cox disclose part of the content having a first watermark and part of the content having a second watermark and combining parts of the first watermark and part of the second watermark into the copy of the content in manner unique for an individual client in (col.1,lines 18-24;col.3,lines 4-15,26-32,62-67; col.4,lines 1-1-3 and fig.1). Cox does not disclose encrypting the first,second watermark and the content. Iwamura's patent discloses this limitation in (fig.4). It would have been obvious to person of ordinary skill in the art at the time invention was made to employ encryption process as taught in Iwamura with watermark system disclosed in Cox in order to enhance data security since encrypted data are much more difficult for an unauthorized party to gain access to the data.

Claims 27,32: Cox disclose prior to communication of the encrypted copy of the content, watermarking first and second copies of content with respective first and second watermarks and combining copies into a single stream of data in (col.1,lines 18-24;col.3,lines 4-15,26-32,62-67; col.4,lines 1-1-3 and fig.1,4). Cox does not disclose encrypting the first,second watermark and the content. Iwamura's patent discloses this limitation in (fig.4). It would have been obvious to person of ordinary skill in the art at the time invention was made to employ encryption process as taught in Iwamura with watermark system disclosed in Cox in order to enhance data security since encrypted data are much more difficult for an unauthorized party to gain access to the data.

Claim 28: Cox does not specifically disclose disclose multicasting the single stream of data to one or more clients. Iwamura disclose in (col.15,lines 13-18). It would have been obvious to person of ordinary skill in the art at the time invention was made to multicast single stream of data to one or more clients as taught in Iwamura with watermark system disclosed in Cox in order to reduce data transmission repetition thus enhancing overall data quality and delivery.

Claims 29-30: Cox does not specifically disclose storing the unique keys and common in a database including an array matching the unique keys to the unique watermarks. Iwamura disclose in (col.18,lines 58-67;col.19,lines 1-15). It would have been obvious to person of ordinary skill in the art at the time invention was made to store the unique keys and common in a database including an array matching the unique keys to the unique watermarks as taught in Iwamura with watermark system of Cox in order for user to properly encrypt/decrypt data accordingly.

Claim 33:Cox does not disclose processing unit is to multicast the single stream of data to one or more clients. Iwamura disclose in (fig.5 and col.24,lines 10-15). It would have been obvious to person of ordinary skill in the art at the time invention was made to multicast single stream of data to one or more clients as taught in Iwamura with watermark system disclosed in Cox in order to reduce data transmission repetition thus enhancing overall data quality and delivery.

Claims 34-36: Cox does not disclose storing the unique keys and common in a database including an array matching the unique keys to the unique watermarks. Iwamura disclose in (col.18,lines 58-67;col.19,lines 1-15). It would have been obvious to person of ordinary skill in the art at the time invention was made to store the unique keys and common in a database

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including an array matching the unique keys to the unique watermarks as taught in Iwamura with watermark system of Cox in order for user to properly encrypt/decrypt data accordingly.

Claims 37,42: Cox discloses storing content in (fig.1). Cox disclose part of the content having a first watermark and part of the content having a second watermark and combining parts of the first watermark and part of the second watermark into the copy of the content into a single stream in (col.1,lines 18-24;col.3,lines 4-15,26-32,62-67; col.4,lines 1-1-3 and fig.1,4). Cox does not disclose encrypting the first,second watermark and the content. Iwamura's patent discloses this limitation in (fig.4). It would have been obvious to person of ordinary skill in the art at the time invention was made to employ encryption process as taught in Iwamura with watermark system disclosed in Cox in order to enhance data security since encrypted data are much more difficult for an unauthorized party to gain access to the data.

Claim 38: Cox does not disclose processing unit is to multicast the single stream of data to one or more clients. Iwamura disclose in (fig.5 and col.24,lines 10-15). It would have been obvious to person of ordinary skill in the art at the time invention was made to multicast single stream of data to one or more clients as taught in Iwamura with watermark system disclosed in Cox in order to reduce data transmission repetition thus enhancing overall data quality and delivery.

Claims 39-41: Cox does not disclose storing the unique keys and common in a database including an array matching the unique keys to the unique watermarks. Iwamura disclose in (col.18,lines 58-67;col.19,lines 1-15). It would have been obvious to person of ordinary skill in the art at the time invention was made to store the unique keys and common in a database including an array matching the unique keys to the unique watermarks as taught in Iwamura with watermark system of Cox in order for user to properly encrypt/decrypt data accordingly.

Claims 3,4,8,9,13,14: Iwamura does not specifically disclose network includes an Internet network. Examiner takes Official notice that Internet network is well known in the art. One of ordinary skill in the art would have been motivated to employ Internet network to send/receive data globally thus providing more efficient and convenient way to perform data transactions.

Claim Objections

2. Claim 52: Typo "selected **form** the plurality of keys" should be from. Please make appropriate correction.

Allowable Subject Matter

3 Claims 23-26 remain allowed.

Claims 43-60 are allowed.

Claim 43,47,51: Prior art of record does not teach supplying both the first and second duplicates of the content portion to first and second users and supplying at least the first key to the first user and the second key to the second user, so that the first user is enabled to decrypt the first duplicate of the content portion watermarked with the first identifier, and so that the second user is enabled to decrypt the second duplicate of the content portion watermarked with the second identifier.

Claim 52: Prior art of record does not teach supplying multiple set of duplicated content portions to multiple users and supplying a unique set of keys, selected from the plurality of keys, to each of the multiple users so that each of the multiple users is enabled to decrypt the multiple sets of duplicated content portions to generate content embodying a unique sequence of identifiers.

Claims 56,60: Prior art of record does not teach supplying the multiple sets of duplicated content portions to multiple users after the watermarking and encrypting and supplying a unique

set of keys, selected from the plurality of keys, to each of the multiple users so that each of the multiple users is enabled to decrypt the multiple sets of duplicated content portions to generate content embodying a unique sequence of identifiers.

Claims 44-45, 48-50, 53-55, 57-59 are allowed because of dependency.

Claims 5, 10, 15, 22, 31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Applicant's arguments

4. The previous grounds of rejection based on the Iwamura patent is withdrawn in view of applicant's arguments in the Amendment filed on 4/25/05. However, newly discovered prior art has necessitated new grounds of rejection. The new grounds of rejection are presented above.

USPTO Contact Information

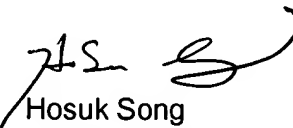
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hosuk Song whose telephone number is 571-272-3857. The examiner can normally be reached on Tue-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HS



Hosuk Song
Primary Examiner
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